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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,553	08/30/2001	Michael L. Frank	10010472-1	3086

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AGILENT TECHNOLOGIES
Legal Department, 51U-PD
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EXAMINER

NGUYEN, KHAI M

ART UNIT

PAPER NUMBER

2819

DATE MAILED: 05/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/944,553

Applicant(s)

FRANK, MICHAEL L.

Examiner

Khai M. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-2 and 4-21 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Gu (US 5,697,088). Gu discloses a component (600) having a balun and filter, which are integrated or combined together to form a single component (see Fig. 8 and column 4, lines 35-40) (Note: "balun" is a term used as an abbreviation for a "balanced-to-unbalanced" converter or vice versa).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 4-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gu (US 5,697,088) in view of Frank et al. (US 6,542,055).

Regarding claims 4-12, 16, and 20-21 Gu discloses the component of the claimed invention. Gu only lacks that the filter is implemented as/with: a single-ended input and single-ended output filter, or a differential inputs and differential outputs, or a resonator-based filter, or a half-ladder resonator-based filter, or one of a full-ladder resonator-based filter and a lattice resonator-based filter, or lumped elements that include inductors and capacitors, or film bulk acoustic resonators (FBARs), or a surface acoustic wave (SAW) technology.

Frank et al. discloses (see various figures) various implementation of the claimed filter. Therefore, the inclusion of the filter that taught by Frank et al. in Gu would have been obvious because the filter implemented with the balun as a single component, for reducing the system cost, may be used to remove/reduce noise or to pass only a certain frequency.

6. Regarding claims 13-15 & 17-19, Gu discloses a component (600) having a balun and filter, which are integrated or combined together to form a single component (see Fig. 8 and column 4, lines 35-40). Gu only lacks to show/draw the component (600) having different configurations or arrangements of the sub-components, filter and balun. It would have been obvious to one person having ordinary skill in the art at the time the invention was made to modify or arrange the sub-components such that the single component (600) to convert and filter a signal from one form to another form because such an implementation will reduce the chip area, since it has been held that

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rearranging parts of an invention involves only routine skill in the art. In re Japikse, 86 USPQ 70.

Prior Art

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please see the PTO-892 attached form and Note US 6,542,055 – Integrated Filter Balun and GB 2 243 038 A – Balance-Unbalance Interface, Fig. 1.


Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khai M. Nguyen whose telephone number is 703-605-4244. The examiner can normally be reached on 8:30 to 5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael J Tokar can be reached on 703-305-3493. The fax phone numbers for the organization where this application or proceeding is assigned are 703- 308-7724 for regular communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-6789.

KN
May 1, 2003


Michael Tokar
Supervisory Patent Examiner
Technology Center 2800